

State Bar of California, Office of Governmental Affairs

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WAR PROMPTS TRUNCATED SESSION

Both the Assembly and Senate cancelled their regularly-scheduled sessions Thursday due to the war with Iraq. The cancellation was done to give lawmakers the opportunity to return to their districts and their families. It also avoided contentious floor debate in the Assembly over resolutions ([AJR 17](#) by Democrats [Lou Correa](#) and [Nicole Parra](#), and [AJR 18](#) by Republican [Ray Haynes](#)) relating to the war effort.

GOVERNOR SIGNS PROGRAM REDUCTIONS

On Tuesday, March 18, the Governor signed into law a \$3.3 billion package of bills ([AB 10x](#), [AB 11x](#), [SB 18x](#), [SB 19x](#)) program reductions and fund shifts that will affect various government services – including a \$2.3 billion reduction in education spending. However, the Governor vetoed a bill ([SB 15x](#)) that would have saved \$70 million by granting work credits to more prisoners, allowing their release up to 27 days early. Davis vetoed the bill a week after 11 Democrats who had previously voted for the measure urged him to kill it because they had not known that it would have allowed early release of people convicted of such crimes as attempted use of weapons of mass destruction; assault with a deadly weapon; fatal child abuse, felony stalking and elder abuse.

SENATE SUBCOMMITTEE CONSIDERS COURT BUDGET ISSUES

The Senate [Budget Subcommittee #4](#) on Legislative, Executive, Public Safety, and General Government met last Wednesday to review and discuss Governor Davis's judiciary-related budget proposals.

The committee took testimony from the Legislative Analyst's Office, Department of Finance and a limited number of interested parties, including the California State Association of Counties (CSAC), which voiced concerns regarding a proposal to transfer some \$31 million in undesignated fees (e.g., civil assessments and various miscellaneous filing fees) from counties to the courts.

Other proposals included a \$300 million court security issue; increasing the appellate filing fee

to \$630 from \$265; imposing a \$20 court security fee each time an individual utilizes court services; and increasing the trial motion fee to \$33 from \$23.

In the end, the committee's only action was to reverse the proposal to fund court security via a state-local government realignment scheme by supplanting the proposal with a \$300 million General Fund appropriation. It is unclear whether the committee will revisit the other judiciary budget items at a later date to take decisive action. It was clear that the three subcommittee members – Democrats [Joe Dunn](#) (Chair) and [Denise Moreno Ducheny](#), and Republican [Dick Ackerman](#), appreciated the gravity of the problems faced by the courts. This appreciation was no doubt helped by the fact that all three subcommittee members are experienced attorneys.

NEW UPL MEASURE

Senator [Gloria Romero](#) (D-Los Angeles) has introduced another in a series of bills to combat the unauthorized practice of law in California, particularly in the state's minority communities.

Romero's new measure, [SB 337](#), would change the trigger for the one-year statute of limitations on filing UPL charges from the commission of the act to the discovery of the wrongdoing.

The bill responds to the problem that many UPL claims are the result of non-attorneys holding themselves out as lawyers, a fact that may not come to light until services are not performed or flaws are discovered in the work product either of which event may easily occur more than a year after the provision of service.

SB 337 is set for hearing in the Senate Public Safety Committee on April 8.

GOVERNOR'S LEGISLATIVE AFFAIRS SECRETARY RESIGNS

According to the "Capitol Morning Report," Mike Gotch, the Governor's Legislative Affairs Secretary for the past 3½ years, resigned his post Tuesday. The departure of the former San Diego Assembly Member, was unexpected. Chief Deputy Legislative Affairs Secretary Linda Adams will serve as acting secretary.